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CERRO COPPER PRODUCTS CO.

P.O. Box 66800
St. Louis, MO 63166
618-337-6000
Fax: 618-337-7273

FAX SHEET

DATE: February 26, 2000 **# OF PAGES** 3

TO: Mike McAteer

FROM: Joe Grana

SUBJECT: Site I Access

Mike,

I do not know if Tom Martin gave you a copy of our offer, so I thought I would fax you one.

Joe

A handwritten signature in cursive script, appearing to read "Joe", is written below the typed name.

LOWENSTEIN SANDLER PC

Attorneys at Law

RICHARD F. RICCI
Member of the Firm

Tel 973.997.2462 Fax 973.997.2463
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February 25, 2000

VIA FACSIMILE

Thomas J. Martin, Esq.
United States Environmental Protection Agency
C14J - 77 West Jackson Boulevard
Chicago, IL 60604

Re: Sauget Area One Sites

Dear Mr. Martin:

This office represents Cerro Copper Products Co. ("Cerro") in the above-referenced matter. We are submitting this letter in furtherance of our discussions with the Agency regarding the request by Solutia and the Agency for access to a portion of Cerro's property, known as Site I, in order to excavate trenches.

As we have indicated to you on numerous occasions, Cerro has grave concerns regarding the safety of its workers if trenching is conducted on Site I. Nevertheless, Cerro is prepared to allow the trenching to proceed if it is conducted with temporary tents or containment structures such as is referenced in the manufacturer's literature that we provided to Mr. McAteer with our letter of February 16, 2000. We understand that Solutia, whose contractors will be conducting the trenching, is concerned about the cost of the containment structure. In order to allay those concerns, Cerro is prepared to reimburse Solutia for its reasonable expenses in installing, maintaining and removing the structure. We will, of course, have to work out the details of such reimbursement; we believe, however, that this can be readily accomplished.

Based upon our conversation, we understand that the Agency will not take any enforcement action against Cerro while Cerro's proposal is being considered. We appreciate your forbearance.

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Thomas J. Martin, Esq.
Page 2

February 25, 2000

Of course, if you have any questions or would like to discuss this matter further, do not hesitate to contact me.

Very truly yours,



Richard F. Ricci

RFR:eap

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cc: Mr. Henry L. Schweich
Mr. Joseph M. Grana

